

AO 450 (Rev. 5/85) Judgment in a Civil Case ⊕

UNITED STATES DISTRICT COURT

***** DISTRICT OF NEVADA

FERRILL J. VOLPICELLI,

Petitioner,

V.

JUDGMENT IN A CIVIL CASE

CASE NUMBER: **3:07-cv-00585-LRH-RAM**

JACK PALMER, et al.,

Respondents.

___ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

___ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

X **Decision by Court.** This action came to be considered before the Court. The issues have been considered and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that respondents' #16 motion to dismiss is GRANTED and that the petition shall be DISMISSED without prejudice for lack of jurisdiction over the subject matter. Petitioner's #21 motion for leave to amend the petition is DENIED, as the proposed amendment would be both unnecessary and futile. Final judgment is entered in favor of respondents and against petitioner, dismissing this action without prejudice for lack of jurisdiction.

February 10, 2009

LANCE S. WILSON

Clerk

/s/ Kalani Lizares

Deputy Clerk